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C O N F I D E N T I A L SECTION 01 OF 02 KUWAIT 000647

SIPDIS

DEPARTMENT FOR NEA/ARP, ISN/NESS, ISN/RA
AMMAN FOR ESTH HUB OFFICER

E.O. 12958: DECL: 06/29/2019
TAGS: [ENRG](#) [KNNP](#) [SENV](#) [PREL](#) [KU](#)
SUBJECT: KUWAIT MOVING FORWARD -- SLOWLY -- WITH NUCLEAR
POWER

REF: A. KUWAIT 643
[1](#)B. KUWAIT 578
[1](#)C. KUWAIT 184

Classified By: Economic Counselor Oliver John for reasons (1.4 b & d).

[1](#)1. (U) This is an action request. Please see para 9.

[1](#)2. (SBU) On June 24, Dr. Adnan Shihab-Eldin, the head of the secretariat for Kuwait's National Committee for Using Nuclear Energy for Peaceful Purposes -- "informally" -- briefed Econcouns on progress in Kuwait's efforts to assess and implement a nuclear power program. He asserted that Kuwait's Amir was very interested in moving forward as rapidly as possible with the program and frequently was pushing for progress reports. On the other hand, Shihab-Eldin acknowledged that developing a nuclear power program was a long-term process.

Kuwait is different from UAE

[1](#)3. (SBU) Shihab-Eldin was very interested in discussing the U.S-UAE Nuclear Cooperation Agreement and in learning more about the UAE's experiences with its nuclear development plan. He explained that he hoped to meet with representatives from Thorium Energy to learn more about their experience helping the UAE develop its nuclear energy road map, and that he would want to make an official visit to the UAE to discuss nuclear energy development at some point. Shihab-Eldin cautioned, however, that "Kuwait was different than the UAE" in three key ways: a) There was an active parliament that could constrain government actions; b) Kuwait had some indigenous expertise that needed to be taken into account in developing nuclear energy; c) Kuwait played a historical leadership role in the Non-Aligned Movement and the G-77, which affected some of its international positions on nuclear energy.

Kuwait's Development Plan

[1](#)4. (C) According to Shihab-Eldin, the Amir wants to move forward, but realizes that the GoK will need to be creative in order to deal with parliament and the "Kuwaiti way" of doing business. The Amir set up the committee under the auspices of an Amiri decree, which did not need parliamentary approval. If Kuwait had set up a traditional nuclear energy program implementation office as a separate authority, however, it would require parliamentary approval; a process Shihab-Eldin noted "would take forever." He also explained that no matter how quickly the GoK wanted to move, it could not just "import expertise." Kuwait had some domestic expertise and turning the entire project over to foreign contractors "would not be in Kuwait's best interest."

15. (SBU) Currently the committee is headed by the Prime Minister and consists of nine members, including the Ministers of Foreign Affairs, Electricity and Water, Interior, and Health, the Director General of the Kuwait Institute for Scientific Research (KISR), the Director of Kuwait University, and the Director General for the Public Authority for the Environment, Dr Shehab-Eldin, and Dr Ahmed Bisharah. The Minister of Foreign Affairs heads a smaller four person executive committee (the Minister, the Director General of KISR, Shihab-Eldin and Bishara). For his part, Shihab-Eldin is setting up a small secretariat at KISR since the facilities are there. The Secretariat has no budget, but he is hopeful that it will quickly grow. He said that he hoped to be able to use the committee to draft Kuwait's nuclear law, but admitted that he needed more help.

Interest in Cooperation

16. (C) In response to Econcouns' question, Shihab-Eldin said that he thought Kuwait would be interested in cooperating with the U.S. and with other countries as it moved forward with its plans. Although he acknowledged that the French were the early leaders, he stated categorically that Kuwait had made no decisions on reactor technology (ref a). Even if Kuwait decides on a reactor technology, he said, it would not want to dependent on just one country for all of its needs. One option he said he was considering would be to set up a joint venture utility to operate any nuclear plant. This would bypass Kuwait's old tender law, with its emphasis on "lowest price" over technological competence.

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Concerns about reprocessing and enrichment

17. (C) Shihab-Eldin stated that Kuwait preferred ensuring a secure supply of nuclear fuel to developing a domestic enrichment or reprocessing capability. For this reason, he had advised the GoK to donate \$10 million to the NTI fuel bank challenge grant and to support any all other schemes to support a secure fuel supply. He expressed concern, however, about the provisions in the U.S. - UAE nuclear cooperation agreement legally binding the UAE to relinquish its NPT "right" to develop a peaceful reprocessing or enrichment capability. He referred to the objections of the NAM states and the G-77, especially Egypt, to plans to create nuclear fuel banks and their fears that this would open the door to nuclear suppliers' group (NSG) nations prohibiting nations from exercising their NPT rights as a condition of receiving nuclear technology. His advice, he said, was to support all measures that would obviate the need for most countries to develop domestic enrichment and reprocessing capabilities, but not to get into an "either or" fight between the NAM and the NSG.

18. (C) He gently criticized the NTI fuel bank initiative for not specifically requiring membership in the NPT as a condition for participating in the fuel bank as did most of the other proposals. He said he understood the reasoning was to ensure that India and Pakistan could participate in the fuel bank, but noted that this only aggravated Egypt's concern about Israel, which was also not an NPT member. It would be better, he suggested, to make NPT membership a criteria and deal with the exceptions later than to try and fit the rule to meet the exceptions. He asked specifically whether the U.S. would insist on Kuwait legally giving up its right to domestic enrichment and reprocessing as a precondition to cooperation. In response to Econcouns question as to whether Kuwait would be willing to do so, he said that the decision had not yet been made, but that he thought Kuwait would not want to come under the type of criticism from the G-77 and the NAM that the UAE had come under for "opening the door" to legally binding constraints

on a country's NPT rights.

Comment and action request

19. (C) Shihab-Eldin was very clear in his assessment both of the Amir's interest in exploring nuclear power and in the challenges involved. He recognized the need to put together an appropriate infrastructure (including a legal infrastructure) as a prerequisite for any nuclear power project, but also stressed the fact that the Amir had been asking him personally for status reports. Kuwait's executive-legislative tensions are very real and very much a hindrance to moving quickly, but to the extent the GoK can move forward without parliamentary control, it will do so, right up to the time it will need to submit legislation to parliament. This is likely to be a long process. That said, the French are already actively courting the Kuwaitis and other suppliers are likely to follow suit. Post requests Department's guidance on potential next steps in developing U.S. - Kuwaiti cooperation in the peaceful nuclear energy.
End Comment.

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